



CHAIRMAN

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Federal Communications Commission

Washington, D.C.

February 4, 2004

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Federal Communications Commission
Office of the Secretary

The Honorable Ronald Olivar Solis
The Honorable Kathleen G. Heceta
The Honorable Jorge V. Sarmiento
National Telecommunications Commission
BIR Road, East Triangle, Diliman, Quezon City
Metro Manila, Philippines

Dear Commissioner and Deputy Commissioners:

Thank you for your joint letter of January 21, 2004. At the outset, I would like to congratulate Commissioner Solis on his appointment to the National Telecommunications Commission. I look forward to working with each of you in the future on a wide range of regulatory issues of mutual interest.

In your letter, you express appreciation with the progress being made by United States and Philippine carriers to restore telecommunications services between our countries. You also note concern, however, about the recent action of the U.S. Department of Justice (DOJ) in initiating an investigation into the events leading up to this problem. In addition, you ask the Federal Communications Commission (FCC) to apprise the DOJ of the latest developments in carrier negotiations and advise you about the DOJ investigation.

Please be advised that the investigation initiated by the DOJ is independent of the FCC and is based upon DOJ's responsibilities under the U.S. antitrust laws. Inquiries by the Philippine government about the DOJ investigation should be made through the U.S. Department of State. It would not be appropriate for the FCC to interfere in the DOJ investigation or otherwise advise the Philippine government on behalf of the U.S. government as to the investigation. The progress being made to restore telecommunications services between our countries is known to our two governments and is a matter of public record in the United States. Moreover, both the FCC and DOJ are acting independently in accordance with each agency's statutory obligations.

As you know, the process has been for the FCC to promptly lift the stop payment order for each Philippine carrier upon confirmation from all affected U.S. carriers that their circuits have been restored by the Philippine carrier in question. In this regard, the Commission issued a Public Notice on January 26, 2004 lifting the stop payment order imposed on Globe by the International Bureau's March 10, 2003 Order, upon being informed by U.S. carriers that Globe had restored all circuits that had previously been disrupted.

Noted and 2
JST/ABG



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I hope that this response is helpful to you. Please contact me if you have any questions. I look forward to working with you

Sincerely,

A handwritten signature in black ink, which appears to be "Mike Powell", is written over the word "Sincerely,".

Michael K. Powell